

GOVERNMENT
OF
THE DISTRICT OF COLUMBIA

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ZONING COMMISSION

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SPECIAL PUBLIC MEETING
1159TH MEETING SESSION (4TH OF 2004)

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THURSDAY

FEBRUARY 19, 2004

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The Special Meeting of the District of Columbia Zoning Commission convened at 5:30 p.m. in the Office of Zoning Hearing Room at 441 4th Street, Northwest, Washington, D.C., Carol Mitten, Chairperson, presiding.

ZONING COMMISSION MEMBERS PRESENT:

CAROL MITTEN	Chairperson
ANTHONY J. HOOD	Vice Chairperson
JOHN G. PARSONS	Commissioner (National Park Service)

OFFICE OF ZONING STAFF PRESENT:

Alberto P. Bastida,	Secretary, ZC
Sharon Schellin,	Zoning Specialist

OFFICE OF PLANNING STAFF PRESENT:

John Fondersmith,	Office of Planning
Jennifer Steingasser,	Office of Planning
Ellen McCarthy,	Office of Planning

OFFICE OF CORPORATION COUNSEL STAFF PRESENT:

Alan Bergstein, Esq.

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P-R-O-C-E-E-D-I-N-G-S

5:30 p.m

CHAIR MITTEN: Good evening, ladies and gentlemen. This is a special public meeting of the Zoning Commission of the District of Columbia for February 19th, 2004.

My name is Carol Mitten and joining me this evening are Vice Chairman Anthony Hood and Commissioner John Parsons.

Copies of today's meeting agenda are available to you and they're in the wall bin near the door.

I would just remind those present that we don't take any public testimony at our meetings unless the Commission specifically requests someone to come forward.

Please be advised that this proceeding is being recorded by a court reporter and is also being web cast live. Accordingly, we must ask you to refrain from any disruptive noises or actions in the hearing room.

Please turn off all beepers and cell phones so as not to disrupt this proceeding.

Mr. Bastida, do we have any preliminary matters?

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1 MR. BASTIDA: Madam Chairman, the staff
2 has no preliminary matters. Thank you.

3 CHAIR MITTEN: All right. I have one
4 announcement and we will make it again next Thursday
5 at this same time, but just to give advance notice, we
6 intend to postpone the hearing scheduled for next
7 Thursday which is in Case Number 03-03 related to the
8 Capital Gateway PUD. That will be postponed to March
9 11th, 2004 at 6:30 in this room.

10 So, the items for us to take up tonight
11 are both final action.

12 The first is Zoning Commission Case Number
13 02-26 which is the Wellness Center further processing
14 the request for the modification to the -- to the
15 rules for the use of that -- that property.

16 What -- what I would like to -- to take
17 this opportunity to do is one of the -- one of the
18 issues that was of concern at the time that we had
19 this hearing about a year and a half ago was the fact
20 that this wellness center hadn't been operating very
21 long and there wasn't much -- there wasn't a whole lot
22 of operating history and now, we have 18 months more
23 of time that has been of operating history that we
24 could -- I think would be relevant for us to consider.

25 It would give a -- I think a more solid perception of

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1 -- of the way the facilities being utilized.

2 And I would like to suggest that we should
3 request that information before we -- before we move
4 forward on this and it would also, I think, be
5 appropriate for us to ask the university to update
6 their report to us on the degree of compliance with
7 the campus plan.

8 Anybody?

9 COMMISSIONER PARSONS: I agree very
10 simply.

11 CHAIR MITTEN: Okay.

12 VICE CHAIR HOOD: That's easy. I would
13 agree. We need some updated information so we can
14 make an informed decision.

15 CHAIR MITTEN: Okay. I think we can also
16 ask since the -- the request has been modified to some
17 extent from the original request and -- and I think
18 there was a -- a rather open-ended request initially
19 in terms of broadening the number of users that --
20 that the university was seeking to be able to -- to --
21 to utilize the wellness center and now, it's a more
22 narrow group. If we could have more specific
23 information on the impact of those users as opposed to
24 the -- the broader group, I think that might also help
25 to guide the discussion.

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1 So, Mr. Bastida, what can you offer us by
2 way of hearing date and we'll work our way back to a
3 submission date.

4 MR. BASTIDA: Okay. And so, I would
5 rather work the reserve if it's okay, you know.

6 CHAIR MITTEN: Okay.

7 MR. BASTIDA: If the university can
8 provide all the information by the 11th of March which
9 is a Thursday by 3:00, then I would send it to the
10 register, one, two, three, four, five, six and it will
11 be on the last week of April approximately. Depends
12 if there is any slippage because of publication on the
13 D.C. Register, but it should be on the week of the 26
14 of April --

15 CHAIR MITTEN: Okay.

16 MR. BASTIDA: -- and -- and -- and at the
17 latest will be the first week in May which is the week
18 of the 3rd.

19 CHAIR MITTEN: Okay. Does that -- does
20 that work -- does that submission date work? Okay and
21 then all the parties would get served on that and --
22 and then we would have the hearing -- the -- the --
23 the scope of the hearing would be confined to those
24 additional submissions.

25 All right. I think we're ready to move on

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1 then to the second item for final action which is Case
2 Number 02-44 which was the text amendment related to
3 Retail Arcades which I'm glad we finally -- I don't
4 know. I'm not sure why it took so long, but I'm glad
5 it's finally here for final action and ready to move
6 forward.

7 VICE CHAIR HOOD: Madam Chair, I would
8 make a motion we approve Zoning Commission Case 02-44
9 and I think we've already included the recommendations
10 NCPC I believe and -- and --

11 COMMISSIONER PARSONS: Second.

12 CHAIR MITTEN: Any discussion? All those
13 in favor please say aye.

14 (Ayes.)

15 CHAIR MITTEN: It's unanimous. Ms.
16 Schellin.

17 MS. SCHELLIN: Yes, staff would record the
18 vote 3-0-2 I guess. Commissioner Hood moving.
19 Commissioner Parsons seconding. Commissioner Mitten
20 in favor. Commissioner Hildebrand not voting having
21 not participated. Commissioner Hanahan not present
22 not voting.

23 CHAIR MITTEN: Thank you. And, Mr.
24 Bastida, if we have no further business -- do we have
25 further business?

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1 MR. BASTIDA: No, Madam Chairman.

2 CHAIR MITTEN: All right. Then I'll
3 adjourn our special meeting and invite everyone to
4 join us at 6:30 for our public hearing.

5 Thank you.

6 (Whereupon, the hearing was concluded at
7 5:44 p.m.)

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